

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff

v.

JORGE L. GALLARDO-ORTIZ ,
Defendant.

Criminal No. 07-193 (ADC)

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is an unopposed Report and Recommendation issued by Magistrate-Judge Marcos E. Lopez on May 8, 2008. (**Docket No. 85**). In said Report and Recommendation the Magistrate-Judge recommends that: defendant **Jorge L. Gallardo-Ortiz** be adjudged guilty of the offenses charged in Counts One and Two of the indictment (T.18, U.S.C. §§ 922(g)(1) and 924(a)(2), and 922(o))¹ inasmuch as, his plea of guilty was intelligently, knowingly and voluntarily entered.

Neither party has filed objections to the Magistrate-Judge's Report and Recommendation within the time frame provided by the Federal Rules of Criminal Procedure and this Court's Local Rules. See Fed. R. Crim. P. 11; 28 U.S.C. § 636(b)(1)(B); D.P.R. Local Crim. R. 147(b).

¹The Magistrate-Judge's Report and Recommendation appears to contain a typographical error to the extent that reference is made to 21 U.S.C. § 853 and 881. (See **Docket No. 85**, page 2, lines 10-11).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby **APPROVES** and **ADOPTS** the Magistrate-Judge's Report and Recommendation in its entirety.

Accordingly, a judgment of conviction is to be entered as to Counts One and Two of the indictment in the above-captioned case.

The sentencing hearing is set for August 19, 2008 at 4:30 p.m.

IT IS SO ORDERED.

At San Juan, Puerto Rico, this 23rd day of May, 2008.

S/AIDA M. DELGADO-COLON
United States District Judge